IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE CIVIL JURISDICTION

WRIT PETITION NO. 2001 OF 2006

Rakesh M.Rathi. ..Petitioner.
Vs.
State Bank of India. ..Respondent.

WITH
WRIT PETITION NO.2132 OF 2006

Shashikant Ramesh Khare. ..Petitioner.
Vs.
State Bank of India. ..Respondent.

WITH
WRIT PETITION NO.2174 OF 2006

Sachin Prakash Dongre. ..Petitioner.
Vs.
State Bank of India. ..Respondent.

WITH
WRIT PETITION NO.2175 OF 2006

Bhushan Nimba Patil. ..Petitioner.
Vs.
State Bank of India. ..Respondent.

Mr. Abhay Kulkarni for the Petitioners.
None for the Respondent.

CORAM: S.B. MHASE &
R.S. MOHITE, JJ.
DATE : 30th April,2007

P.C.

1. Heard Mr. Kulkarni for the petitioners.

2. Perused the scheme. The scheme requires that while granting compassionate appointments, the financial

position of the family in which one of the member is seeking compassionate appointment has to be considered. The petitioners are getting the family pension from the respondent-bank. In the present matter, the respondent-bank has considered the financial condition of the petitioners. The respondent bank has considered the pensionary benefits received by the petitioners' family after the death of the father of the petitioners. The respondent bank has also considered the interest on lumpsum payment, apart from regular pension which is payable to the family and on considering the total income, the respondent bank has come to the conclusion that the family is not thrown on the road but is well supported out of the income received and therefore, compassionate appointment has not been offered to the petitioners. It is well settled principle of law that compassionate appointment is not as of right but it is the sympathy shown by the employer. In the present matters, all the aspects including the financial position, liability etc. has been considered by the respondent-bank and thereafter, the claim of the petitioners have been rejected. Considering the above circumstances, we refrain to entertain the aforesaid petitions. Accordingly, the aforesaid petitions are dismissed.

(R.S. MOHITE, J.) **(S.B. MHASE, J.)**